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CONTINUING APPROPRIATIONS, 1987

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Mr. HATFIELD, from the Committee on Appropriations, submitted the following

REPORT

[To accompany H.J. Res. 738]

The Committee on Appropriations, to which was referred the joint resolution (H.J. Res. 738) making continuing appropriations for fiscal year 1987, and for other purposes, reports the same to the Senate with various amendments and presents herewith information relative to the recommended joint resolution.

INTRODUCTION

The Committee on Appropriations has reported all 13 regular appropriations bills to provide funding for the fiscal year beginning on October 1, 1986. The Senate has considered and passed six of these bills: the fiscal year 1987 Military Construction, Legislative Branch, Labor-HHS-Education, Interior, District of Columbia, and Transportation appropriations bills. Conference action has been completed on the Legislative Branch appropriations bill. The remaining seven regular appropriations bills have been reported by the Committee. These include the fiscal year 1987 Treasury-Postal Service, Commerce-Justice-State, Agriculture, Energy-Water Development, Defense, Foreign Assistance, and HUD-Independent Agencies appropriations bills. The House has passed all regular appropriations bills for fiscal year 1987, with the exception of the Defense and Foreign Assistance bills.

This continuing resolution provides full-year funding—through September 30, 1987—for all 13 regular appropriations bills. Upon enactment into law of any of these bills, the relevant provisions of this continuing resolution will cease to apply, and the regular bill will become the funding device.

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The most recent action of the Senate with respect to each appropriations bill is reflected in the spending levels recommended by the Committee in this resolution. The Committee points out that each of these bills, either as reported by the Committee or passed by the Senate, is within its section 302(b) allocation pursuant to the Budget Act, as amended, under the concurrent resolution on the budget for fiscal year 1987 (S. Con. Res. 120). Likewise, the funding levels recommended by the Committee in this continuing resolution are consistent with those same 302(b) subcommittee allocations under the fiscal year 1987 budget resolution.

LEVELS OF FUNDING UNDER THE RESOLUTION

Sections 101(a) through (m) set forth the levels of funding recommended for each of the appropriations bills covered by this continuing resolution. The level of funding recommended for each bill is as follows:

AGRICULTURE, RURAL DEVELOPMENT, AND RELATED AGENCIES

Section 101(a) deletes House language establishing the rate for operations as that provided in the regular fiscal year 1987 appropriations bill (H.R. 5177) as passed by the House, and instead inserts the rate for operations provided in the bill (H.R. 5177) as reported to the Senate on September 11, 1986. The Committee includes in its entirety, by reference, the Senate report (S. Rept. 99–438) accompanying H.R. 5177.

COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

Section 101(b) deletes House language establishing the rate for operations as that provided in the regular fiscal year 1987 appropriations bill (H.R. 5161) as passed by the House, and instead inserts the rate for operations provided in the bill (H.R. 5161) as reported to the Senate on September 3, 1986. The Committee includes in its entirety, by reference, the Senate report (S. Rept. 99–425) accompanying H.R. 5161.

DEFENSE

Section 101(c) deletes House language establishing the rate for operations as that provided in the regular fiscal year 1987 appropriations bill (H.R. 5438) as reported to the House, and instead inserts the rate for operations provided in the bill (S. 2827) as reported to the Senate on September 17, 1986. The Committee includes in its entirety, by reference, the Senate report (S. Rept. 99–446) accompanying S. 2827.

DISTRICT OF COLUMBIA

Section 101(d) deletes House language establishing the rate for operations as that provided in the regular fiscal year 1987 appropriations bill (H.R. 5175) as passed by the House, and instead inserts the rate for operations provided in the bill (H.R. 5175) as passed by the Senate on September 16, 1986. The Committee includes in its entirety, by reference, the Senate report (S. Rept. 99–367) accompanying H.R. 5175.

ENERGY AND WATER DEVELOPMENT

Section 101(e) deletes House language establishing the rate for operations as that provided in the regular fiscal year 1987 appropriations bill (H.R. 5162) as passed by the House, and instead inserts the rate for operations provided in the bill (H.R. 5162) as reported to the Senate on September 15, 1986. The Committee includes in its entirety, by reference, the Senate report (S. Rept. 99–441) accompanying H.R. 5162.

FOREIGN ASSISTANCE AND RELATED PROGRAMS

Section 101(f) deletes House language establishing the rate for operations as that provided in the regular fiscal year 1987 appropriations bill (H.R. 5339) as reported to the House, and instead inserts the rate for operations provided in the bill (S. 2824) as reported to the Senate on September 16, 1986. The Committee includes in its entirety, by reference, the Senate report (S. Rept. 99–443) accompanying S. 2824.

HOUSING AND URBAN DEVELOPMENT—INDEPENDENT AGENCIES

Section 101(g) deletes House language establishing the rate for operations as that provided in the regular fiscal year 1987 appropriations bill (H.R. 5313) as passed by the House, and instead inserts the rate for operations provided in the bill (H.R. 5313) as reported to the Senate on September 25, 1986. The Committee includes in its entirety, by reference, the Senate report (S. Rept. 99–487) accompanying H.R. 5313.

INTERIOR AND RELATED AGENCIES

Section 101(h) deletes House language establishing the rate for operations as that provided in the regular fiscal year 1987 appropriations bill (H.R. 5234) as passed by the House, and instead inserts the rate for operations provided in the bill (H.R. 5234) as passed by the Senate on September 16, 1986. The Committee includes in its entirety, by reference, the Senate report (S. Rept. 99–397) accompanying H.R. 5234.

LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

Section 101(i) deletes House language establishing the rate for operations as that provided in the regular fiscal year 1987 appropriations bill (H.R. 5233) as passed by the House, and instead inserts the rate for

operations provided in the bill (H.R. 5233) as passed by the Senate on September 10, 1986. The Committee includes in its entirety, by reference, the Senate report (S. Rept. 99–408) accompanying H.R. 5233.

LEGISLATIVE BRANCH

Section 101(j) retains House language establishing the rate for operations as that provided in the conference agreement (H. Rept. 99–805) on the regular fiscal year 1987 appropriations bill (H.R. 5203) filed in the House on August 15, 1986.

MILITARY CONSTRUCTION

Section 101(k) deletes House language establishing the rate for operations as that provided in the regular fiscal year 1987 appropriations bill (H.R. 5052) as passed by the House, and instead inserts the rate for operations provided in the bill (H.R. 5052) as passed by the Senate on August 13, 1986. The Committee includes in its entirety, by reference, the Senate report (S. Rept. 99–368) accompanying H.R. 5052.

TRANSPORTATION AND RELATED AGENCIES

Section 101(l) deletes House language establishing the rate for operations as that provided in the regular fiscal year 1987 appropriations bill (H.R. 5205) as passed by the House, and instead inserts the rate for operations provided in the bill (H.R. 5205) as passed by the Senate on September 17, 1986. The Committee includes in its entirety, by reference, the Senate report (S. Rept. 99–423) accompanying H.R. 5205.

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT

Section 101(m) deletes House language establishing the rate for operations as that provided in the regular fiscal year 1987 appropriations bill (H.R. 5294) as passed by the House, and instead inserts the rate for operations provided in the bill (H.R. 5294) as reported to the Senate on August 14, 1986. The Committee includes in its entirety, by reference, the Senate report (S. Rept. 99–406) accompanying H.R. 5294.

CONTINUATION OF ONGOING PROGRAMS

Section 101(n) of the House bill provides funding to continue various ongoing programs not included in the regular fiscal year 1987 appropriations bills due to lack of authorization. With the exception of the Office of Refugee Resettlement, the Senate has addressed funding for these programs and activities in the regular fiscal year 1987 appropriations bills included under sections 101(a) through (m) of this continuing resolution.

OFFICE OF REFUGEE RESETTLEMENT

The Committee is distressed that inaction on necessary authorizing legislation has left it in the position of funding the Office of Refugee Resettlement in this manner for the past 4 fiscal years. The Committee recommends continuation of the following ongoing programs of the Office of Refugee Resettlement at current fiscal year 1986 levels: cash and medical assistance, State administration, social services, voluntary agency programs, education assistance for children, preventive heatlh, targeted assistance, and Federal administration.

The Committee continues to support the voluntary agency matching grant program. In view of the success of the matching grant program, it is the intent of the Committee that the size of the caseload participation in the program not be reduced and that the Federal match remain at its existing level of a $2,000 maximum per refugee matched on an equal basis by the private sector.

OTHER PROVISIONS OF THE RESOLUTION

The Committee recommends the deletion of numerous general provisions added by the House to this continuing resolution, many of which are legislative in nature. In addition, the Committee has deleted, without prejudice, title II of the House bill providing additional appropriations for drug enforcement, education, and control.

The Committee does not concur with language contained in House Report 99-831 to accompany H.J. Res. 730, now considered to be the House report to accompany H.J. Res. 738, which is not already agreed to in the Senate reports accompanying the 13 regular fiscal year 1987 appropriations bills.

COMPLIANCE WITH PARAGRAPH 7, RULE XVI, OF THE STANDING RULES OF THE SENATE

Paragraph 7 of Rule XVI requires that Committee reports on general appropriations bills identify each Committee amendment to the House bill "which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session."

The Committee believes that it is not necessary to comply with paragraph 7 of Rule XVI in its report on this continuing resolution. Paragraph 7 covers Committee amendments to a House bill which contain "an item of appropriation." Here, the Committee amendments to the House continuing resolution constitute references to the relevant Senate appropriations bill. This being the case, the "item of appropriation" which may need to be reported in compliance with this rule is contained in the underlying Senate bill, not in the Committee amendment to the House joint resolution.

However, in an effort to present the required information to Senators, the Committee identifies the following items of appropriations contained in the referenced appropriations bills pursuant to the requirements of Rule XVI, paragraph 7.

Within section 101(a), the Committee recommends the following appropriations which lack authorization:

—$1,655,494,000 for the feeding program for women, infants, and children [WIC];

—$2,033,093,000 for rental and cooperative housing for elderly and low- or moderate-income persons;

—$8,610,000 for mutual and self-help housing loans and grants; and

—$30,418,000 for the Commodity Futures Trading Commission.

Within section 101(b), the Committee recommends the following appropriations which lack authorization:

—$163,700,000 for the Economic Development Administration;

—$42,400,000 for the Minority Business Development Agency;

—$335,096,000 for portions of the National Oceanic and Atmospheric Administration;

—$110,050,000 for the Securities and Exchange Commission;

—$4,025,441,000 for the Justice Department, with the exception of the Office of Justice Programs; and

—$305,500,000 for the Legal Services Corporation.

Within section 101(c), the Committee recommends the following appropriations which lack authorization:

—$4,316,000 for the National Board for the Promotion of Rifle Practice, $3,386,000 in excess of the amount authorized by the Senate;

—$4,840,463,000 for research, development, test, and evaluation, Army, $24,794,000 in excess of the amount authorized by the Senate;

—$2,892,150,000 for aircraft procurement, Army, $98,450,000 in excess of the amount authorized by the Senate;

—$9,714,539,000 for shipbuilding and conversion, Navy, $390,739,000 in excess of the amount authorized by the Senate;

—$5,988,429,000 for other procurement, Navy, $54,372,000 in excess of the amount authorized by the Senate;

—$1,451,599,000 for Marine Corps procurement, $68,899,000 in excess of the amount authorized by the Senate;

—$200,000,000 for coastal defense augmentation, $200,000,000 in excess of the amount authorized by the Senate;

—$16,815,050,000 for aircraft procurement, Air Force, $431,946,000 in excess of the amount authorized by the Senate; and

—$1,485,487,000 for procurement, Defense Agencies, $54,187,000 in excess of the amount authorized by the Senate.

The Committee wishes to point out that the selected procurement and research and development appropriations exceed the fiscal year 1987 Defense authorization bill levels, as passed by the Senate in S. 2638, because that bill provides for such additional amounts based on the assumption that funds be transferred from prior-year appropriations accounts. The Committee has elected to rescind prior-year funds in lieu of transferring prior-year funds in order to yield higher outlay savings in the current year. Funds for the National Board reflect a re-

alignment of funds within the bill based on an inspector general finding.

Within section 101(d), the Committee recommends an appropriation $19,500,000 in excess of the level authorized for the Federal payment to the District of Columbia.

Within section 101(e), the Committee recommends the following appropriations which lack authorization:

—$86,070,000 under the Energy Supply, Research, and Development Activities account for the Center for Advanced Materials; the Center for Science and Technology; the Chemical Research Center; the Advanced Science Center; the Supercomputer Research Institute; the Neutron Scattering Center, the Sychrotron Radiation Laboratory; the Center for Information Technology; the Center for Science and Engineering Technology; the Center for New Industrial Materials; the Center for Nuclear Imaging Research; the Energy Research Complex; and the Institute of Nuclear Medicine; and

—$7,261,600,000 under Atomic Energy Defense Activities for the research, development, testing, production, and stockpile maintenance for nuclear weapons work; and for verification and control, special materials production, defense waste management, and nuclear materials security and safeguard activities; and

—$105,000,000 under the Appalachian Regional Commission for regional development programs and the access highway system.

Within section 101(f), the Committee recommends the following appropriations in excess of the authorized levels:

—$6,500,000 for the African Development Foundation, $2,628,000 in excess of the level authorized;

—$75,000,000 for the Child Survival Fund, $50,000,000 in excess of the level authorized;

—$65,445,000 for international narcotics control, $7,916,000 in excess of the level authorized;

—$346,856,000 for immigration and refugee assistance, $2,126,000 in excess of the level authorized; and

—$65,000,000 for the International Military Education and Training Program, $8,779,000 in excess of the level authorized.

Within section 101(g), the Committee recommends the following which lack authorization:

—$12,872,553,800 for the Department of Housing and Urban Development;

—$4,347,026,000 for the Environmental Protection Agency; and

—$8,345,400,000 for the National Aeronautics and Space Administration.

Within section 101(h), the Committee recommends the following appropriations which lack authorization:

—$399,029,000 for management of lands and resources, Bureau of Land Management;

—$2,800,000 for construction and access, Bureau of Land Management;

—$105,000,000 for payments in lieu of taxes, Bureau of Land Management;
—$29,085,000 for endangered species. U.S. Fish and Wildlife Service;
—$242,947,000 for fossil energy research and development, Department of Energy;
—$246,413,000 for energy conservation, Department of Energy;
—$23,400,000 for economic regulation, Department of Energy;
—$6,044,000 for emergency preparedness, Department of Energy;
—$59,651,000 for Energy Information Administration, Department of Energy;
—$5,418,000 for Indian health manpower, Indian Health Service;
—$8,800,000 for urban health programs, Indian Health Service; and
—$2,057,000 for salaries and expenses, Holocaust Memorial Council.

Within section 101(i), the Committee recommends the following appropriations which lack authorization:

—$1,484,758,000 for rehabilitation services and programs, $199,158,000 in excess of the authorized level;
—$145,000,000 for family planning;
—$13,000,000 for special education health initiatives, $2,000,000 in excess of the authorized level;
—$14,610,000 for adolescent family life;
—$1,099,113,000 for alcohol, drug abuse, and mental health research, $183,768,000 in excess of the authorized level; and
—$76,400,000 for immunization grants, $11,400,000 in excess of the authorized level.

Within section 101(k), the Committee recommends appropriations for the following projects which lack authorization:

—$16,500,000 under the Department of the Army for the Fort Campbell, KY, aircraft maintenance hanger;
—$3,200,000 for the Dugway Proving Ground, UT, community center;
—$11,500,000 under the Department of the Navy for the NSC Pearl Harbor, HI, cold storage facility;
—$8,800,000 under the Department of the Navy for the Surface Warfare Officers School Command, Newport, RI, officer training facility;
—$11,500,000 under the Department of the Air Force for the Hill AFB, UT, Logistics Systems Operations Center;

Within section 101(l), the Committee recommends the following appropriations which lack authorization:

—$2,136,200,000 for the Coast Guard;
—$19,950,000 for the Research and Special Programs Administration; and
—$22,240,000 for the National Transportation Safety Board.

Within section 101(m), the Committee recommends the following appropriations which lack authorization:

—$760,000,000 for salaries and expenses, U.S. Customs Service;

—$87,819,000 for operations and maintenance, Air Interdiction Program, U.S. Customs Service;
—$8,000,000 for the forfeiture fund, U.S. Customs Service;
—$365,000 for customs services at small airports, U.S. Customs Service;
—$42,508,000 for salaries and expenses, U.S. Mint;
—$694,000 for expansion and improvements, U.S. Mint;
—$92,000,000 for salaries and expenses, Internal Revenue Service;
—$1,215,000,000 for processing tax returns, Internal Revenue Service;
—$1,530,000,000 for examinations and appeals, Internal Revenue Service;
—$1,098,000,000 for investigations, collections, and taxpayer service, Internal Revenue Service;
—$5,048,000 for the Office of Information and Regulatory Affairs;
—$1,369,000 for salaries and expenses, Administrative Conference of the United States; and
—$2,414,037,000 for the limitation on availability of revenue, Federal Buildings Fund, General Services Administration which is $9,600,000 above the level authorized in S. 2397, the Public Building Authorization Act of 1986, reported by the Committee on Environment and Public Works.

In section 101(n), the Committee recommends current fiscal year 1986 funding for the Office of Refugee Resettlement which lacks authorization.

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE STANDING RULES OF THE SENATE

Paragraph 12 of Rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute, include "(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the committee."

With respect to this bill, it is the opinion of the Committee that it is necessary to dispense with these requirements in order to expedite the business of the Senate. However, the Committee points out that the Senate report accompanying each of the 13 regular fiscal year 1987 appropriations bills complies with the requirements of this rule.

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